Translation

# PATENT COOPERATION TREATY

## PCT

#### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference  FOR FURTHER ACTION  See Notification of Transmittal of Internation of In			
1999/M 251	Prelim	inary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/00469	International filing date (day/month/ye 22 January 2000 (22.01.00)		
International Patent Classification (IPC) or national classification and IPC A01N 47/38, 47/34, 47/36, 25/30, C11D 1/60			
Applicant	AVENTIS CROPSCIENCE GMBH		
<ol> <li>This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</li> </ol>			
2. This REPORT consists of a total of	4 sheets, including this co	over sheet.	
been amended and are the b	This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).		
These annexes consist of a t	otal of1 sheets.		
3. This report contains indications rela	ting to the following items:		
Basis of the report	Basis of the report		
II Priority	II Priority		
III Non-establishmen	t of opinion with regard to novelty, inven	tive step and industrial applicability	
IV Lack of unity of invention			
Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement			
VI Certain documents cited			
VII Certain defects in the international application			
VIII Certain observations on the international application			
Date of submission of the demand  Date of completion of this report			
29 July 2000 (29.07.	00)	06 April 2001 (06.04.2001)	
Name and mailing address of the IPEA/EP	Authorized offic	cer	
Facsimile No.	Telephone No.	Telephone No.	



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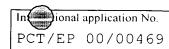
1. Basis of the report						
1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):						
[		the international	application as	originally filed.		
	$\boxtimes$	the description,	pages	1-41	_, as originally filed,	
			pages		_, filed with the demand,	
			pages		_, filed with the letter of	
			pages	·	, filed with the letter of	
	$\overline{X}$	the claims,	Nos	1-17	_ , as originally filed,	
"					, as amended under Article	e 19,
					_, filed with the demand,	
						12 March 2001 (12.03.2001)
		the drawings,	sheets/fig		, as originally filed,	
			sheets/fig		, filed with the demand,	
			sheets/fig		, filed with the letter of _	
			sheets/fig		, filed with the letter of	
2. The an	nendr	nents have resulte	ed in the cance	llation of:		
		the description,	pages			
		the claims,	Nos			
		the drawings,				
					endments had not been made Supplemental Box (Rule 70	e, since they have been considered 0.2(c)).
4. Additio	onal c	bservations, if ne	ecessary:			

ational	application No.	
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Statement			
Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	1-18	YES
	Claims		NO NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO
Citations and explanations			
See supplementary	sheets		
	55555		

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ne following o	defects in the form or contents of the international application have been noted:	 •
See	e supplementary sheets	
		-



Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: V and VII

- 1. All of the "X" documents cited in the international search report (ISR) disclose that it is generally known to produce phosphonium or sulfonium salts from sulfonylureas. However, none of the citations discloses concrete examples of these compounds or formulations that contain these salts.

  The prior art to date does not disclose or suggest a use of sulfonium or phosphonium compounds of the formula (XVIII) for producing agrochemical formulations according to Claim 1.

  The subject matter of Claims 1 to 18 can thus be regarded as novel (PCT Article 33(2)).
- 2. The comparative tests (table I of the application and filed with the letter of 12.03.01) show that sulfonium salts of the sulfonyl ureas of the formula (Ia) according to Claim 3, in which Ra is a radical of formula (IVa) and (IVb) and Rb is a pyrimidin or triazine group, form stable EC in contrast to the neutral compounds and their alkali salts. The applicant has also alleged that with the claimed sulfonium or phosphonium compounds higher active ingredient concentrations can be obtained (see also the description, page 40, paragraph 1). These advantageous effects of the claimed compounds are not disclosed or suggested in the prior art to date.

The subject matter of Claims 1 to 18 thus involves an inventive step (PCT Article 33(3)).

3. Contrary to PCT Rule 5.1(a)(ii), the description

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		101/11 00/00403
Supplemental Box (To be used when th	ne space in any of the preceding boxes is not sufficient)	
Continuation of: V		
	does not cite D1-D5 (numbered in	the order in the
	ISR) or indicate the relevant pri	
	therein.	or are disclosed